

29 December 2005

The Honorable Kevin J. Martin
Chairman
Federal Communications Commission
445 12th St., S.W.
Washington, DC 20554

Re: Docket No. 05-286

Dear Chairman Martin,

I am writing on behalf of the membership of the Fraternal Order of Police to add our support for Sprint Nextel's petition requesting relief of the Federal Communications Commission's ninety-five percent (95%) Global Positioning System (GPS) handset penetration requirement.

Sprint Nextel, despite their committed efforts, will not meet the FCC's requirement that 95% of its embedded base of handsets deliver E911 Phase II location information to public safety answering points (PSAPs). This is due in part to a software glitch, which was beyond the control of the company, affecting millions of Motorola iDEN handsets produced in the summer of 2004, which are unable to transmit location information.

We are pleased, however, with their response to the issue, which included mailing millions of repair kits to individuals with handsets affected by the glitch. Further, we fully appreciate Sprint Nextel's arguments to the FCC that it is difficult to convince satisfied customers to replace existing handsets--even at low price--when current handsets function well. Many law enforcement agencies and individuals do not have the resources nor the time to replace functional handsets with newer, GPS-enabled units. Given these facts, and the long-standing partnerships that both of these companies have had in support of public safety through the years, the F.O.P. has decided to lend our support to Sprint Nextel's pending petition for relief.

We must emphasize, however, that our support for this petition does not change our opposition to legislative language that would allow or require the FCC to grant annual waivers to Voice over Internet Protocol (VoIP) providers for failing to meet 911 and E-911 requirements for portable or nomadic VoIP service.

The F.O.P. strongly believes that the FCC's E911 rules have been a success. The FCC kept the industry on track and as a result, this life-saving technology is widely deployed and expanding daily. That said, given the track record of Sprint Nextel on public safety issues and the circumstances facing the company, their request for relief is reasonable and, on behalf of the more than 321,000 members of the Fraternal Order of Police, we support that request. If I can provide any additional information on this issue, please do not hesitate to contact me or Executive Director Jim Pasco in my Washington office.

Sincerely,

Chuck Canterbury
National President

cc: The Honorable Michael J. Copps, Commissioner
The Honorable Jonathan S. Adelstein, Commissioner
The Honorable Deborah Tate, Commissioner